



United States Department of Agriculture

United States
Department of
Agriculture

Office of the Chief
Information Officer

1400 Independence
Avenue SW
Washington, DC
20250

May 13, 2019

Delivered via Electronic Mail

Austin Evers
American Oversight
1030 15th Street NW
Suite B255
Washington, DC 20005
foia@americanoversight.org

**RE: Freedom of Information Act (FOIA) Request 2017-OSEC-03647-F
Interim Release No. 1**

Dear Mr. Evers:

This letter is the first interim release by the Departmental FOIA Office (DFO) in response to the above-referenced FOIA request seeking the following:

1. All communications between any of the individuals listed in Appendix A and any agricultural or other trade group with an interest in pesticides, including but not limited to CropLife, the American Farm Bureau, the American Soybean Association, the American Sugarbeet Growers Association, the National Corn Growers, or the Oklahoma Farm Bureau, regarding any environmental issue related to the use of pesticides.
2. All communications between any of the individuals listed in Appendix A and any pesticide manufacturer, including but not limited to Dow Chemical or Dow AgroSciences, regarding any environmental issue related to the use of pesticides.
3. All communications between any of the individuals listed in Appendix A and any think tanks, including but not limited to the Heritage Foundation, regarding any environmental issue related to the use of pesticides.
4. All communications between any of the individuals listed in Appendix A and any member of Congress or anyone acting on behalf of a member of Congress (including both personal and committee staff) regarding chlorpyrifos.
5. All communications between any of the individual listed in Appendix A and anyone at EPA regarding chlorpyrifos.

Please provide all responsive records from January 20, 2017, to the date the search is conducted. Please note that American Oversight does not wish to obtain copies of any news or press clippings regarding these issues that are otherwise publicly available; accordingly, you may omit press clippings from the documents provided in response to this request unless the record includes commentary on the press coverage.

Your request has been processed under the FOIA, 5 U.S.C. § 552.

A search for responsive records was conducted by the Office of the Chief Information Officer's (OCIO) telecommunications provider, the Client Experience Center (CEC). The CEC performs network services for the OCIO to include electronic messaging operations, electronic calendars, blackberry, mobile device management (MDM), file and print, remote access, voice, network, service desk, and other application services. The CEC located potentially responsive records; forty-eight (48) of those pages are being provided with this interim response.

The DFO has determined that certain information contained therein should be withheld pursuant to 5 U.S.C. §552(b)(4), (5), and (6) (FOIA Exemptions 4, 5 and 6). Below is an explanation of the information that has been withheld.

FOIA Exemption 4

FOIA Exemption 4 protects from disclosure "trade secrets and commercial or financial information...that is privileged or confidential." The information withheld under Exemption 4 consists of confidential business information owned by Dow AgroSciences.

FOIA Exemption 5

FOIA Exemption 5 protects from disclosure those "inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency." FOIA Exemption 5 protects from disclosure privileged information under the deliberative process privilege.

To fall within FOIA's deliberative process privilege, the records must be both pre-decisional and deliberative; the records must precede the adoption of an agency policy and include the opinions, recommendations, or deliberations on a legal or policy matter. In this instance, the DFO is withholding, under the deliberative process privilege, pre-decisional discussions contained in email communications between USDA and the Environmental Protection Agency (EPA).

FOIA Exemption 6

FOIA Exemption 6 generally is referred to as the “personal privacy” exemption. It provides that the disclosure requirements of FOIA do not apply to “personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” Application of the exemption involves balancing the public’s interest in disclosure against individuals’ privacy interests.

The information withheld under Exemption 6 consists of cellular phone numbers, direct office numbers, certain email addresses, conference call access codes, and information about employees’ absences. This information qualifies as “similar files” because it is information in which individuals have a privacy interest. Moreover, releasing the cell phone numbers, direct office numbers, and email addresses could subject the individuals to unwarranted or unsolicited communications. As for the conference call access codes, participants have a privacy interest in ensuring no uninvited individual is listening in on the call. With regard to employee absences, that information is purely personal in nature and does not advance one’s understanding of the government’s operations. Because there is a viable privacy interest that would be threatened by disclosure, Exemption 6 authorizes this office to withhold the information. Accordingly, we have determined that the public interest in the information’s release does not outweigh the overriding privacy interests in keeping it confidential.

Please remember this is only an interim response. The DFO’s review of the potentially responsive CEC records is still ongoing. You will be provided appeal rights upon completion of our review and processing of those records. If you have any questions, please contact USDAFOIA@ocio.usda.gov.

Sincerely,

Alexis Graves
Departmental FOIA Officer
Office of the Chief Information Officer

Enclosure: Responsive Records (48 pages)

From: [Paul Schlegel](#)
To: [Kunickis, Sheryl - OSEC](#)
Subject: RE: Zippy gave us kudos!
Date: Friday, February 24, 2017 11:16:42 AM
Attachments: [Aq Outlook Forum 2.23.17.docx](#)

Sheryl – here you go
 Paul

Paul Schlegel
Director, Energy and Environment Team
Direct: (b) (6)
Cell: (b) (6)
Email: (b) (6)@fb.org

From: Kunickis, Sheryl - OSEC [mailto:Sheryl.Kunickis@osec.usda.gov]
Sent: Friday, February 24, 2017 10:31 AM
To: Paul Schlegel
Subject: Fwd: Zippy gave us kudos!

Paul! See message and thanks. Any chance I could read his comments?

Sent from my iPhone

Begin forwarded message:

From: "Hill2, Elizabeth - ARS" <Elizabeth.Hill2@ARS.USDA.GOV>
Date: February 24, 2017 at 10:26:34 AM EST
To: "Kunickis, Sheryl - OSEC" <Sheryl.Kunickis@osec.usda.gov>, "Domesle, Alexander - ARS" <Alexander.Domesle@ARS.USDA.GOV>
Subject: Zippy gave us kudos!

I just heard that Zippy was giving direct quotes of our chlorpyrifos comments at the dinner last night and singing praises for our office. :)

Sent from my iPhone

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**Remarks of Zippy Duvall, President
American Farm Bureau Federation
USDA Agricultural Outlook Forum
Crystal Gateway Marriott
Feb. 23, 2017, 6:30 p.m.**

Thank you for the opportunity to join you and speak to such a distinguished group.

I have given quite a few speeches over the years, but I don't think I've ever had the opportunity to speak to so many who are so well-versed in agricultural economics and ag policy at this level. The market knowledge that exists in this room is tremendously impressive. So I am honored to be here with you tonight.

I want to start with a brief introduction of the American Farm Bureau—for those who may not be as familiar with us.

Farm Bureau is the nation's largest general farm organization. We are a grassroots federation made up of the 50 state Farm Bureaus and the Puerto Rico Farm Bureau. I don't think any other interest group in Washington—certainly not any other agricultural group—has the “reach” that we have. I hope at least some of you are Farm Bureau members!

All of our policies come from our grassroots. That gives us credibility to speak for our farmer members, because we advocate for the policies THEY want.

Some of those policies for this year are:

- **A strong farm bill**
- **Immigration and ag labor reform**
- **Tax reform**
- **Regulatory reform**
- **Trade**

I want to go ahead and talk about the “elephant in the room.” And the pun is very much intended.

For agriculture, our new president represents a kind of “best of times, worst of times” situation.

Let’s start with the “bests.”

We have a few things to be optimistic about under the current administration and the new Congress.

- **At the top of the list is the nominee to serve as Secretary of Agriculture. I have known Governor Perdue for many years. You couldn’t ask for a finer gentleman or a stronger champion for our farmers and ranchers. I believe he could be one of the all-time great Secretaries of Agriculture. And we need him confirmed so he can get to work.**

REGULATIONS

- **Also on the “good” list is regulatory reform. Over the previous eight years, government has tried to place more regulatory burdens on farmers.**
- **I don’t have to tell the people in this room that many of our farmers are at a breaking point in terms of generating income to cover the cost of production. Increased regulation raises that cost of production, and farmers and ranchers simply cannot bear that burden in today’s ag economy.**
- **We need a certain level of regulation, of course. But we should not allow regulations to strangle our economy...strangle the innovation and optimism our nation needs.**

- **At the top of the list is the effort to expand federal control under the Waters of the U.S. rule. That rule will require farmers to get permits on millions of acres that previously were exempt. Farmers already face overzealous enforcement of the Clean Water Act. John Duarte in California faces millions of dollars in fines for plowing his wheat field.**
- **Let me mention one example as a way of saying “thank you” to USDA. EPA is trying to get rid of an important insecticide for specialty crop growers, and the agency has been relying on some shaky science to justify their actions. But the Office of Pest Management Policy filed excellent comments detailing where EPA cut corners on the science. We are grateful to USDA for standing up on this issue and making sure science drives policy. That’s how it should be.**

- I believe the new administration will bring a more common-sense view to regulations. At Farm Bureau we are working to reform the regulatory process. The Administrative Procedure Act, the law that guides that process, is 70 years old and doesn't consider the influence of things like Twitter and other tools agencies might use to drum up support for their own rules.

TAXES

- I would also put tax reform on the “good” list. I think we all expect tax reform to be a major part of the conversation this Congress.
- Lowering the business tax rate will go a long way toward helping our economy. But we can't stop there. We need a tax code that recognizes the financial challenges farmers and ranchers face. A tax code that encourages the next generation to stay in agriculture.

- **The devil is the details, of course. If we give up the deduction for business interest or something like cash accounting for a small adjustment in tax rates, we may not be doing much good. So we will work closely with the tax writing committees to help them get it right for our farmer members.**
- **Farm Bureau would like to see us eliminate the estate tax once and for all—so we can pass our farms on to the next generation without a big tax bill that forces them to sell the assets needed for farming. We need to be encouraging and helping the next generation to get started in agriculture—not penalizing them with a tax.**

BORDER ADJUSTABLE TAX

- **While on the subject of taxes, let me touch on something that has been getting more attention in recent weeks—the Border Adjustable Tax.**

- **It's one thing to focus on a specific country. It's different to talk about the kind of tax used by more than 150 other countries, including Canada and Mexico, and look at using the revenue stream to pay for other tax reforms.**
- **We still have a lot of studying to do on this issue. But it's important to keep it in the context of overall tax reform and how it fits with what other countries are already doing.**

IMMIGRATION

- **Some of the actions being taken or considered by the administration could harm agriculture if not done right. As economists, I am not telling you anything you don't know. If we can't get the labor to harvest our crops here in the U.S., we will be importing more fruits and vegetables and other commodities from other countries.**

- **We at Farm Bureau have estimated the U.S. could lose as much as \$60 billion in ag production to other countries if we lose access to all currently undocumented workers.**
- **An enforcement-only approach would cause food prices to go up 5 to 6 percent.**

These are not good outcomes for agriculture. They are not good for consumers. And they are not good for other areas of our economy that thrive and provide jobs because of agriculture.

- **Farm Bureau supports protecting our borders. But we can't just do enforcement and leave our farmers holding the bag. We also need a way for the workers who have been on our farms for years and know their way around a farm to get an adjustment in status and stay here, helping us feed America with American-grown food.**

TRADE

- **We are concerned about pulling back on trade. I'm sure everyone in this room understands the importance of ag trade. About a quarter of farm income comes from exports. For some crops, it's even higher.**
- **As a nation, we've had some harsh words, lately, toward some of our most important trading partners. I want to give a special mention to our Mexican customers. We in U.S. agriculture appreciate you. Without question, there are areas of disagreement—just as with any important trading partner. But let me go on the record as saying that the American Farm Bureau appreciates the agricultural business relationship our two countries have.**

- **Members of Farm Bureau's Board of Directors had discussions with Mr. Trump when he was campaigning last year and he assured us that he recognized the importance of trade to agriculture. He said he wanted to expand markets for us. We are looking forward to working with the president's trade team, in particular with Secretary-designate Sonny Perdue, to carry out those commitments.**

- **Our ag exports to Canada and Mexico have quadrupled (from \$8 billion to \$38 billion) since NAFTA went into effect. But there are issues we can discuss with both of those trading partners:**
 - **Canada has high tariffs and other trade barriers that hinder U.S. dairy and poultry exports.**

- **Canada has sided with the European Union on geographic indicators.**
- **Mexico places unnecessary pest-related restrictions on U.S. fruit and potatoes—restrictions it does NOT apply to domestic crops.**
- **Mexico has banned planting biotech corn.**
- **U.S. wheat exported to Canada is graded at a lower quality than Canadian wheat.**

So we clearly have opportunities in these areas and others to take care of concerns that have come up with our NAFTA partners. And Farm Bureau intends to work with other agricultural organizations to outline how we might address these issues without losing the progress we've made.

- **Interestingly, the Trans Pacific Partnership would have addressed at least one of these issues with Canada—it would have reduced tariff protections on dairy and poultry.**
- **In fact, the American Farm Bureau has estimated that the TPP agreement would have boosted U.S. farm income by \$4.4 billion a year—thanks largely to tariffs in the other 11 countries that would be reduced more in line with our already-low tariffs here at home.**
- **Again, this is why we need Gov. Perdue in place as Agriculture Secretary. He understands the importance of trade for agriculture. He worked hard to promote Georgia’s ag products around the world, and I am confident that he will be able to influence the administration’s trade policy in a way that is positive for our farmers and ranchers.**

FARM BILL

- **Last but certainly not least, I want to talk about a little something we call the farm bill. We start working on this next farm bill under very difference circumstances than when the current farm bill was written.**
 - **Commodity prices are obviously much lower**
 - **Farm incomes are down**
 - **Farmers have pulled hard on their cash reserves and cut back on buying new equipment**
- **We learned some things as the current farm bill moved from the development phase to enactment and then on to the real world.**

- **First, it's a good idea to make sure the statistics you are using to calculate payments are accurate.**
- **And I suspect our attachment to five-year averages might get a fresh look now that we are talking about \$3.50 corn as opposed to \$6 corn.**
- **Farm Bureau has gone through extensive work with our states to get as much input as possible for developing the next farm bill. We have written dozens of background papers on everything from ARC yields and the role of conservation programs to using state data to calculate dairy feed costs. You can find all of those background papers on our website: fb.org.**

- **We have started this work earlier than usual because we know that we have to make a lot of progress this year, before the next campaign season gets started.**
- **But our greatest challenge with the next farm bill isn't time. It's money. Our nation continues to operate under a budget deficit. And the Congressional Budget Office baseline for the farm bill has gone down. All of which means it will be very challenging to find the money to make adjustments in areas such as dairy supports and ARC payments. But we are going to keep reminding Congress and the White House that our farm economy is hurting. Agriculture has given back when we can (the last farm bill made \$23 billion in cuts), and we've asked for help when we have needed it. Now, we need it.**

WRAP-UP AND ENGAGE

- **I will close by sharing one of my priorities for this year. We in agriculture must increase our engagement with policymakers. We must make our voices heard on ALL of these issues.**
- **There's a tremendous amount of knowledge and passion for agriculture in this room. But that does not accomplish much unless we use it to inform and influence our leaders.**
- **So I will leave you with the same challenge I am giving to others across the country. Rural America made its voice heard last November. Let's keep raising our voice and make sure that our elected officials make decisions that help our farmers, our farm economy and our nation's food security.**
- **Thank you. Good night.**

From: [Mary Jo Tomalewski](#)
To: [Kunickis, Sheryl - OSEC](#)
Subject: FW: TIME SENSITIVE: Teleconference with Jay Vroom
Date: Tuesday, June 06, 2017 9:52:33 AM

FYI, sent just now.

Mary Jo Tomalewski

Executive Assistant to the President & CEO
 CropLife America

Direct Dial (b) (6)

Mobile (b) (6)

Email (b) (6) i@croplifeamerica.org



How can I serve you today?

Future Meetings

2017 Spring Regulator Conference – April 6-7, Arlington, VA
 2017 Annual Meeting – September 22-27, Dana Point, CA
 2018 Winter Board of Directors Meeting – March 5-7, Washington, DC
 2018 Annual Meeting – September 21-26, The Ritz-Carlton Amelia Island

From: Mary Jo Tomalewski
Sent: Tuesday, June 6, 2017 9:52 AM
To: 'connie.smith@osec.usda.gov' <connie.smith@osec.usda.gov>
Subject: FW: TIME SENSITIVE: Teleconference with Jay Vroom

Connie,

Thank you for helping us schedule this call, for Wednesday, June 7 – can you please confirm the time, which Sheryl and Stephen are both available?

If they will be in two separate locations, I'm happy to initiate a 3-way call, if you could provide Stephen's phone number (I have Sheryl's).

Otherwise, if they will be in one location together, then they should call Jay Vroom in his office – (b) (6) (direct dial).

Please advise. Thanks,
 MJ

Mary Jo Tomalewski

Executive Assistant to the President & CEO
 CropLife America

Direct Dial (b) (6)

Mobile (b) (6)

Email (b) (6) @croplifeamerica.org



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From: Kunickis, Sheryl - OSEC [<mailto:Sheryl.Kunickis@osec.usda.gov>]

Sent: Monday, June 5, 2017 7:23 PM

To: Mary Jo Tomalewski (b) (6) @croplifeamerica.org>

Cc: Vaden, Stephen - OGC <Stephen.Vaden@ogc.usda.gov>; Smith, Connie - OSEC <Connie.Smith@osec.usda.gov>

Subject: Re: TIME SENSITIVE: Teleconference with Jay Vroom

Hi Mary Jo,

I am available 8-8:30 on Wednesday morning and after 3:45 to 4:30 on Wednesday afternoon.

However, I believe Stephen's office has arranged for a call at 9:30 am. If this is the same meeting, I am available at 9:30 as I had it blocked for the meeting with Stephen.

Thanks,

Sheryl

Sent from my iPad

On Jun 5, 2017, at 3:14 PM, Mary Jo Tomalewski (b) (6) @croplifeamerica.org> wrote:

Good afternoon,

Jay Vroom asked me to reach out to you to schedule some time this week to talk by phone regarding next steps and strategy, especially with regard to arrange a time for you to meet with our Strategic Oversight Council.

He's traveling today and tomorrow, but he's available early on Wednesday morning, June 7, before 10:00a. He is also traveling Wednesday afternoon, but it's by car and he could certainly do a call while he's on the road – between 2:30p and 5:00p.

He's attending a 2-day conference on Thursday and Friday, but he could step out to talk with you if we can find a convenient time that works for both of you to get on the line with him.

I look forward to hearing from you.

MJ

Mary Jo Tomalewski

Executive Assistant to the President & CEO
CropLife America
1156 15th Street, NW
Suite 400
Washington, DC 20005

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Fax (202) 466-5832

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Web www.croplifeamerica.org

<image003.jpg> *How can I serve you today?*

Future Meetings

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2017 Annual Meeting – September 22-27, Dana Point, CA
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From: [Kellie Bray](#)
To: [David Fischer](#); [Kunickis, Sheryl - ARS](#); [Epstein, David](#); [Gabriele Ludwig](#); (b) (6) [@almondboard.com](#); [Maria Trainer](#); [Ethan Mathews](#); (b) (6) [@dc.ncga.com](#); [Hill2, Elizabeth - ARS](#); (b) (6) [@freshfromflorida.com](#); [rkachadoorian@oda.state.or.us](#)
Cc: [Brinkmeyer, Ray](#); (b) (6) [@dow.com](#); (b) (6) [@croplifeamerica.org](#); [Abbott John USGR](#)
Subject: CLA Pollinator Issue Management Team Meeting - Wednesday, April 5
Date: Monday, April 03, 2017 3:09:56 PM
Attachments: [4 5 17 PIMT Agenda.docx](#)

Thank you all for planning to spend time with the CLA Pollinator Issue Management Team during our April in-person meeting. We will be meeting at the Renaissance Hotel in Arlington in conjunction with the CLA RISE Regulatory Conference. Recognizing many of you are located outside the DC area, please see the call in information listed below (as well as on the agenda attached).

We appreciate your time and expertise!

PIMT April In-Person Meeting

April 5, 2017 9 am to 3:30 pm

Studio C, Renaissance Hotel, Arlington, VA or

Call In: 877-304-4558 pass code (b) (6)

Best regards,

Kellie

Kellie Bray

Senior Director, Government Affairs

CropLife America

1156 15th St., NW

Suite 400

Washington, DC 20005

(b) (6) (office)

(b) (6) (cell phone)

Ask me how you can show your love of all things agriculture with our #AgLoudAgProud campaign!



| | |
|---------------------|--|
| Prepared by: | Ray Brinkmeyer |
| Date: | 4/5/17 |
| Reviewed by: | John Abbott, Ray McAllister, Kellie Bray |
| Status: | DRAFT |
| To: | PIMT |

Title: PIMT April In-Person Meeting
Date: April 5, 2017 9 am to 3:30 pm
Venue: Studio C, Renaissance Hotel, Arlington, VA or
 Call In: 877-304-4558 pass code (b) (6)

| | Lead | Time (mins) | Pre-read |
|--|------------------|-------------|----------|
| 1. Antitrust reminder | Amanda | | |
| 2. Adoption of the agenda | Ray B | | Y |
| 3. Approval of the minutes of the previous meeting | Ray B | | Y |
| CropLife Canada | Maria T | 30 min | |
| Government Affairs <ul style="list-style-type: none"> Pesticide Policy Coalition Discussion - Ethan Mathews NCGA/PPC Chairman | Kellie, All | 10 min | |
| Regulatory Review of <i>POLICY TO MITIGATE THE ACUTE RISK TO BEES</i> <ul style="list-style-type: none"> Decision Tree – Caydee Cost of Tier 1 Testing – Amy Education on risk assessment | Caydee, Amy, All | | |
| Technical <ul style="list-style-type: none"> Testing – what results are registrants seeing in the Acute Larval Study in particular with herbicides? EPA Poster on testing PRTF report | Joe W, All | 10 min | |
| Communication CLA Spring Conference – Pollinator Sessions – Review | All | 10 min | |
| Legal <ul style="list-style-type: none"> Rusty Patched Bumble Bee | Amanda | 10 min | |
| | | | |

| | | | |
|---|---|--------------------|--|
| Update on Almond Pollination | Gabriele Ludwig & Bob Curtis | (TBD 10:30 pm?) | |
| Town Hall Meeting Re: Committees & IMTs Lunch Provided | | 11 am to 1 pm | |
| State MP3 Plans and Status | Steve Dwinell & Rose K | 1:00 pm | |
| USDA Conversation | Sheryl Kunickis, David Epstein & Elizabeth Hill | 2:30 pm to 3:30 pm | |
| Any other business / next meeting | All | | |
| Meeting adjournment | Ray B | | |

Participants:

Companies:

Staff:

From: [Kunickis, Sheryl - OSEC](#)
To: [Racke, Ken \(K\)](#)
Subject: Re: EPA WTO Notification Concerning CHP Tolerances
Date: Wednesday, February 08, 2017 10:55:33 AM

Hi Ken,

EPA posted these comments - I have shared internally here. Have you heard anything from EPA regarding their plans? I have not. There was much discussion at the MCFA meeting last week on next steps - or I should say, much concern regarding what will happen. Everyone seems to be in the dark, but that is not surprising considering the political leadership has not yet been confirmed.

Sheryl

From: Racke, Ken (K) (b) (6)@dow.com>
Sent: Monday, January 16, 2017 3:31 PM
To: Kunickis, Sheryl - OSEC
Subject: EPA WTO Notification Concerning CHP Tolerances

Dear Sheryl,

Please find appended some comments that were submitted to the Federal Docket EPA-HQ-OPP-2015-0653 earlier today by Dow AgroSciences concerning EPA's notification to the WTO concerning a proposal for withdrawal of tolerances for the insecticide chlorpyrifos. No need for a specific action on your part, but I thought given your interest in this topic you should be informed. (b) (4)

[REDACTED]

Hope your year is starting out well!

Best regards,

Ken

Kenneth D. Racke, Ph.D.
 Dow AgroSciences
 Global R&D/Regulatory Leader - Classic Herbicides
 Global Regulatory Leader - Chlorp. Insecticides
 9330 Zionsville Road, Bldg 308-2A
 Indianapolis, IN 46268 USA
 Phone: (b) (6)

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From: [Paul Whatling](#)
To: [Chin, Teung](#)
Subject: Re: Evaluating Public Health Pesticides on Honeybee Health and Mortality
Date: Tuesday, January 31, 2017 12:33:33 PM

Thanks Teung!

Sent from my iPhone

On Jan 31, 2017, at 10:26 AM, Chin, Teung <Teung.Chin@ARS.USDA.GOV> wrote:

Paul. FYI. Teung

* * * * *

Teung F. Chin, Ph.D.
 USDA Office of Pest Management Policy
 1400 Independence Ave., S.W.
 Room 3871-South Building, MS-0314
 Washington DC, 20250

(b) (6)

Sent using TouchDown (www.symantec.com)

-----Original Message-----

From: Healy, Kristen [KHealy@agcenter.lsu.edu]
Received: Tuesday, 31 Jan 2017, 10:43AM
To: Chin, Teung [Teung.Chin@ARS.USDA.GOV]
CC: Epstein, David [David.Epstein@ARS.USDA.GOV]
Subject: RE: Evaluating Public Health Pesticides on Honeybee Health and Mortality

Thank you for your interest. We are still waiting to hear after our last revision. Two of the reviewers voted to accept the publication as is. However, one of the reviewer rejected the manuscript because he felt that beekeepers are not concerned about mosquito control adulticides, and he felt that mosquito control programs do not use adulticides. We have made every attempt to respond to that reviewer's comments. The authors on our manuscript are reputable people from mosquito control, USDA, LSU, and honey bee research. If the reviewers are ok with our final revision, I would anticipate it would be published soon. And yes, I am planning on presenting our studies at the upcoming AMCA meeting.

Kristen

From: Chin, Teung [<mailto:Teung.Chin@ARS.USDA.GOV>]
Sent: Tuesday, January 31, 2017 7:44 AM
To: Healy, Kristen <KHealy@agcenter.lsu.edu>
Cc: Epstein, David <David.Epstein@ARS.USDA.GOV>

Subject: Evaluating Public Health Pesticides on Honeybee Health and Mortality

Hello Dr. Healy..

In an August email to me, you conveyed that a graduate student had submitted the study for publication in the Bulletin of Entomological Research.

Has the study been published? Will the results be presented at the coming Feb 13 meetings of AMCA? I received an email from a party indicating interest in this.

As you may know, the final Biological Evaluation for malathion and chlorpyrifos has been issued for public comment.

I am copying David Epstein, the OPMP senior entomologist on this.

Thank you in advance!

Teung Chin

<http://www.lsuagcenter.com/profiles/lbenedict/articles/page1468944949089>

* * * * *

Teung F. Chin, Ph.D.

USDA Office of Pest Management Policy

1400 Independence Ave., S.W.

Room 3871-South Building, MS-0314

Washington DC, 20250

(b) (6)

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Click [here](#) to report this email as spam.

From: [Kunickis, Sheryl - OSEC](#)
To: [Provost, Megan \(J\)](#)
Cc: [Kunickis, Sheryl - ARS](#); [Jim Callan](#) (b) (6) [@msn.com](#)
Subject: Re: Flagging Story re: Chlorpyrifos
Date: Friday, March 31, 2017 1:59:11 PM

That is an interesting take on the issue! Thanks!

Sent from my iPhone

On Mar 31, 2017, at 1:50 PM, Provost, Megan (J) <(b) (6) [@dow.com](#)> wrote:

Sheryl-

Our press folks flagged this article (as part of our broader media monitoring around chlorpyrifos this week) and asked that I share it with you all. This article is pretty fair, but I wanted to flag the last paragraph with you all, as they mistake who you all are. ;)

Just wanted to let you know, in case you all want to reach out to the reporter to have this corrected.

Thanks,
Megan'

EPA refuses to ban pesticide Obama wanted to outlaw
[Seattle Times](#)

Originally published March 29, 2017 at 9:26 pm | Updated March 29, 2017 at 10:54 pm

By Seattle Times staff and The Associated Press

The Environmental Protection Agency has rejected a petition from environmental groups that sought to ban a pesticide widely used in Northwest fruit orchards, a decision that reversed an Obama administration proposal to end its use.

The chemical is called chlorpyrifos, part of a class of insecticides known as organophosphates that act as neurotoxins.

In a statement Wednesday, EPA Administrator Scott Pruitt said the decision to reject the petition “provides regulatory certainty to the thousands of American farms that rely on chlorpyrifos ... By reversing the previous administration’s steps to ban one of the most widely used pesticides in the world, we are returning to using sound science in decision-making — rather than predetermined results..”

The decision reflects a sharp change in direction for the EPA under Pruitt, the former Oklahoma state attorney general who came into the Trump administration as a harsh critic of the agency he now leads.

Environmental groups said Pruitt’s decision ignores overwhelming evidence that shows even small amounts of chlorpyrifos can interfere with brain development of fetuses, infants and children.

Patti Goldman, a Seattle-based Earthjustice attorney who has waged the legal battle in

federal court to end the use of chlorpyrifos, called the EPA decision “unconscionable.”

Goldman said the plaintiffs would be going back to federal court to try to force the EPA to change its decision.

Chlorpyrifos was banned from residential use in 2000, but it has continued to be widely used in agriculture, including on apple, cherry and other crops in the Northwest.

During President Barack Obama’s second term, the EPA proposed ending its use on food.

The agency also expressed concerns about the health of farmworkers involved with mixing and spraying the chemical, or those entering areas where it had been sprayed.

But the EPA, under Pruitt, came to different conclusions, finding the scientific evidence of risks was not strong enough to justify banning the chemical.

Trump administration U.S. Department of Agriculture officials also disagreed with the scientific methodology used by the Obama administration, according to the EPA statement released Wednesday.

Seattle Times staff reporter Hal Bernton contributed to this report: 206-464-2581 or hbernton@seattletimes.com

From: [Kellie Bray](#)
To: [Kunickis, Sheryl - OSEC](#)
Subject: RE: Following up on SOC Meeting
Date: Monday, May 08, 2017 8:25:38 PM

Sheryl,
 I completely understand! It is a busy week for sure!

Yes, Wednesday noon is completely open and we would be appreciative if you could join us. We'll be meeting in the CLA offices – 1156 15th St., NW Suite 400.

We look forward to seeing you on Wednesday.

Kellie

From: Kunickis, Sheryl - OSEC [mailto:Sheryl.Kunickis@osec.usda.gov]
Sent: Monday, May 08, 2017 7:24 PM
To: Kellie Bray (b) (6)@croplifeamerica.org>
Cc: Kunickis, Sheryl - OSEC <Sheryl.Kunickis@osec.usda.gov>
Subject: Re: Following up on SOC Meeting

Hi Kellie,
 I apologize for not getting back sooner. It has been incredibly busy. I can meet on Wednesday at noon noting I meet with the Acting Dep Secretary from 11-11:30 and will need time to get to CLA. All of this is subject to change depending on how tomorrow goes. Please let me know if this works.
 Sheryl

Sent from my iPad

On May 8, 2017, at 5:44 PM, Kellie Bray <(b) (6)@croplifeamerica.org> wrote:

Hello Sheryl, I hope you are doing well! I am following up to see if you might be available to join CLA's Strategic Oversight Council meeting at any point Tuesday or Wednesday of this week. As I mentioned previously, the group is meeting from 10 am to 5 pm tomorrow with a dinner at 6 pm and Wednesday from 8 am to 2 pm – all meetings taking place at the CLA offices.

Thank you for your consideration!

Kellie

Kellie Bray
 Senior Director, Government Affairs
 CropLife America
 1156 15th St., NW

Suite 400

Washington, DC 20005

(b) (6) (office)

(b) (6) (cell phone)

Ask me how you can show your love of all things agriculture with our #AgLoudAgProud campaign!

<image001.jpg>

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From: [Kellie Bray](#)
To: [Kunickis, Sheryl - OSEC](#)
Cc: [Epstein, David](#); [Hill2, Elizabeth - ARS](#)
Subject: RE: Invitation to Pollinator Issue Management Team meeting
Date: Wednesday, March 29, 2017 2:33:04 PM

Sheryl, David and Elizabeth,

We are happy that you will be able to join us next Wednesday! We'll be meeting in Studio C of the Renaissance Hotel in Arlington and we have you on the schedule from 2:30 pm to 3:30 pm. We extended our meeting an extra 30 minutes to make sure we have time to have a full discussion. I hope you are planning to stay for the reception as well – it starts at 5 pm!

See you soon,
 Kellie

From: Kunickis, Sheryl - OSEC [mailto:Sheryl.Kunickis@osec.usda.gov]
Sent: Wednesday, March 29, 2017 12:53 PM
To: Kellie Bray [\(b\) \(6\)@croplifeamerica.org](#); Kunickis, Sheryl - OSEC <Sheryl.Kunickis@osec.usda.gov>
Cc: Epstein, David <David.Epstein@ARS.USDA.GOV>; Hill2, Elizabeth - ARS <Elizabeth.Hill2@ARS.USDA.GOV>
Subject: Re: Invitation to Pollinator Issue Management Team meeting

Kellie,
 Busy morning! We are glad to attend that afternoon in person. David has a meeting until 2pm, so after 2pm works. Elizabeth Hill will also participate.
 Thanks,
 Sheryl

From: Kellie Bray [\(b\) \(6\)@croplifeamerica.org](#)>
Sent: Wednesday, March 29, 2017 9:58:24 AM
To: Kunickis, Sheryl - ARS
Subject: Invitation to Pollinator Issue Management Team meeting

Sheryl,

As you know, CLA and RISE are hosting our Spring Regulatory Conference next week where several of our member company representatives will be in attendance. In conjunction with the conference, the CLA Pollinator Issue Management Team is meeting next Wednesday, April 5, from 9 am to 3 pm at the Renaissance Hotel and would like to invite you and David Epstein to join us during part of our meeting. Perhaps you would want to join us from 2-3 pm since you may already be planning to come over for the reception that evening? Please let me know if you have time on Wednesday to share the USDA perspective on pollinators – it would be great to have you and David join us either in

person or by phone.

Best regards,
Kellie

Kellie Bray
Senior Director, Government Affairs
CropLife America
1156 15th St., NW
Suite 400
Washington, DC 20005

(b) (6) (office)

(b) (6) (cell phone)

Ask me how you can show your love of all things agriculture with our #AgLoudAgProud campaign!



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From: [Kunickis, Sheryl - OSEC](#)
To: [Hyberg, Skip - FSA, Washington, DC](#)
Cc: [Ethan Mathews](#); [Johansson, Robert - OCE](#); [Adcock, Rebeckah - OSEC, Washington, DC](#)
Subject: Re: Monarch collaborative meeting panel discussion - USDA rep
Date: Friday, August 04, 2017 3:44:52 PM

Thanks!

Sent from my iPhone

On Aug 4, 2017, at 7:01 AM, Hyberg, Skip - FSA, Washington, DC
 <Skip.Hyberg@wdc.usda.gov> wrote:

I can do Monday at 9 if that works for both of you.

Sent from my iPhone

On Aug 3, 2017, at 4:57 PM, Kunickis, Sheryl - OSEC
 <Sheryl.Kunickis@osec.usda.gov> wrote:

What about Monday? I am out tomorrow.

Sent from my iPhone

On Aug 3, 2017, at 4:35 PM, Hyberg, Skip - FSA, Washington, DC
 <Skip.Hyberg@wdc.usda.gov> wrote:

Either works for me. If we talk tomorrow before 10 or
 between 2-4 works

Sent from my iPhone

On Aug 3, 2017, at 4:31 PM, Ethan Mathews
 <[\(b\) \(6\)@ncga.com](mailto:(b) (6)@ncga.com)> wrote:

Hey Sheryl –

We would be glad to have Dr. Hyberg on the
 panel. Is there a time that works for you
 tomorrow or Monday? I am pretty flexible and
 can go with whatever suits your schedule.

Ethan

From: Kunickis, Sheryl - ARS
[\[mailto:Sheryl.Kunickis@ARS.USDA.GOV\]](mailto:Sheryl.Kunickis@ARS.USDA.GOV) **On**

Behalf Of Kunickis, Sheryl - OSEC

Sent: Wednesday, August 2, 2017 7:49 AM

To: Ethan Mathews <(b) (6)@ncga.com>

Cc: Johansson, Robert - OCE

<RJohansson@oce.usda.gov>; Adcock,

Rebeckah - OSEC, Washington, DC

<Rebeckah.Adcock@osec.usda.gov>; Hyberg,

Skip - FSA, Washington, DC

<Skip.Hyberg@wdc.usda.gov>

Subject: Monarch collaborative meeting panel discussion - USDA rep

Hi Ethan,

Rebeckah is not able to participate in this panel. I am glad to let you know that Dr. Skip Hyberg, FSA, will represent USDA on the panel. He can address the bullets you highlighted below and is quite knowledgeable on all things agencywide related to pollinators and monarchs. Would you have time for a brief call with Skip and me to make sure we understand your goals of the panel to make sure the expectations are met? I have cc'd Skip on this message. I also may attend and listen to the discussion.

**Thanks,
Sheryl**

From: Ethan Mathews

(b) (6)@ncga.com]

Sent: Tuesday, August 1, 2017 7:32 AM

To: Adcock, Rebeckah - OSEC, Washington, DC

<Rebeckah.Adcock@osec.usda.gov>

Subject: Re: Monarch collaborative meeting

Hey Rebeckah -

Following up on my email from last week with a bit more info on the panel. Below are items we are hoping you could address:

- Is the monarch anticipated to remain part of Working Lands for Wildlife going forward?
- Do you anticipate FSA will participate

with the Service on a section 7 conference?

- Can you address whether mid-contract changes are being considered to allow growers more flexibility to implement pollinator conservation practices
- Please address various ways the Department is thinking about resourcing pollinator initiatives once current funding runs out

As of now we anticipate having other panelists from NACD, NASDA, ASTA and USFWS. If you have any questions please reach out.

Ethan Mathews

Director of Public Policy, NCGA

(b) (6) [@ncga.com](mailto:(b) (6)@ncga.com)

(b) (6)

Sheryl H. Kunickis, Ph.D., Director
U.S. Department of Agriculture Office of Pest
Management Policy
South Building, Room 3871; 1400 Independence Ave., SW;
Washington, D.C. 20250-0314

(b) (6) Desk phone - (202) (b) (6) Cell phone
sheryl.kunickis@osec.usda.gov

<image001.jpg>

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From: [Epstein, David](#)
To: [Don Parker](#)
Subject: Re: neonics
Date: Friday, March 24, 2017 8:07:36 AM

Don,

I am on the road and will be back in the office on Monday. I will call you.

David

Sent from my iPad

On Mar 23, 2017, at 5:18 PM, Don Parker <(b) (6)@cotton.org> wrote:

David,

I know EPA has posted on their site the Clothianidin and Thiamethoxam neonic draft pollinator risk assessment. I have high doubts they will extend public comments when they finally are able to release in the federal register. I am very concerned the decision here lays the foundation for all future registration and registration reviews. I thought the process was complete the risk assessment, then complete the benefits. I am getting indication they are looking for benefits already and are already looking for mitigation measures for pollinator risk assessment. If they mitigate at this point, how many additional mitigations will be required before a complete risk assessment is finalized.

I do hope you, and your economic group, is engaged.

Thanks,

Don Parker, Ph.D.
Manager, IPM
National Cotton Council
PO Box 2995
Cordova, TN 38088-2995
(b) (6)

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From: [Kunickis, Sheryl - OSEC](#)
To: [Dumas, Richard](#)
Subject: Re: Next Meeting
Date: Monday, February 06, 2017 2:10:31 PM

Hi Rich,

(b) (5) Deliberative

I also will share that two staff are (b) (6). I don't know who will be here on Thursday.

Cheers,
Sheryl

From: Dumas, Richard <Dumas.Richard@epa.gov>
Sent: Thursday, February 2, 2017 4:19:38 PM
To: Kunickis, Sheryl - OSEC
Subject: Next Meeting

Sheryl,

(b) (5) Deliberative

, let me know.

Rich

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From: [Green, Heidi - OSEC, Washington, DC](#)
To: [\(b\) \(6\)@croplifeamerica.org](#)
Subject: Re: Syngenta visitor?
Date: Monday, May 15, 2017 10:02:03 AM

Thank you Jay, yes he is coming in

Sent from my iPhone

> On May 15, 2017, at 9:50 AM, Jay Vroom [\(b\) \(6\)@croplifeamerica.org](#)> wrote:

>

> Good morning Heidi,

>

> I hear that Syngenta's global CEO Erik Fyrwald may be coming by today. As you probably recall, Syngenta is one of our largest member companies and very active in CLA's work. Erik is a veteran of our industry and a great leader. Let me know if there is anything I might do to assist your prep for that meeting.

>

> Jay

>

> Jay Vroom

> President & CEO

> CropLife America

> 1156 15th Street, NW

> Suite 400

> Washington, DC 20005

> [\(b\) \(6\)](#) (O)

> [\(b\) \(6\)](#) (M)

> [\(b\) \(6\)@croplifeamerica.org](#)

> www.croplifeamerica.org

>

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From: [Kunickis, Sheryl - OSEC](#)
To: [Paul Schlegel](#); [Dudley Hoskins](#)
Subject: Re: USDA's comments on chlorpyrifos are posted. See link.
Date: Thursday, February 02, 2017 12:46:58 PM
Attachments: [OutlookEmoji-.png](#)

Thank you! What I really like is that if one doesn't understand the issue, this letter totally explains it! 😊
 Sheryl

From: Paul Schlegel (b) (6)@fb.org>
Sent: Thursday, February 2, 2017 12:44:12 PM
To: Kunickis, Sheryl - OSEC; Dudley Hoskins
Subject: RE: USDA's comments on chlorpyrifos are posted. See link.

Sheryl,
 These really are terrific
 Paul

Paul Schlegel
 Director, Energy and Environment Team
 Direct: (b) (6)
 Cell: (b) (6)
 Email: (b) (6)@fb.org

From: Kunickis, Sheryl - OSEC [mailto:Sheryl.Kunickis@osec.usda.gov]
Sent: Thursday, February 02, 2017 11:51 AM
To: Dudley Hoskins; Paul Schlegel
Subject: USDA's comments on chlorpyrifos are posted. See link.

DOCUMENT ID: EPA-HQ-OPP-2015-0653-0648 (<https://www.regulations.gov/document?D=EPA-HQ-OPP-2015-0653-0648>)

DOCUMENT TYPE: PUBLIC SUBMISSIONS

POSTED DATE: 02/01/2017

DOCUMENT TITLE: Comment submitted by Sheryl H. Kunickis, Ph.D., Director, Office of Pest Management Policy, US Department of Agriculture (USDA)

Sheryl H. Kunickis, Ph.D. | Director | US Department of Agriculture Office of Pest Management Policy
 South Building, Room 3871 | 1400 Independence Ave., SW | Washington, D.C. 20250-0314

📞 (b) (6) | 📠 (b) (6) | ✉️ sheryl.kunickis@osec.usda.gov

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From: [Chin, Teung](#)
To: [Kunickis, Sheryl - OSEC](#); [Fajardo, Julius](#); [Hill2, Elizabeth - ARS](#); [Abbott, Linda - OCE](#); [Domesle, Alexander - ARS](#); [James Callan](#); [Provost, Megan \(J\)](#); [Epstein, David](#); [Schroeder, Jill](#)
Subject: RESCHEDULED: ED: Grower Technology Network meeting with USDA OPMP and ORACBA
Date: Wednesday, March 15, 2017 12:25:47 PM

Rescheduled for 9:00 am Wed. March 22

-----Original Appointment-----

From: Kunickis, Sheryl - OSEC

Sent: Wednesday, March 08, 2017 11:40 AM

To: Kunickis, Sheryl - OSEC; Chin, Teung; Fajardo, Julius; Hill2, Elizabeth - ARS; Abbott, Linda - OCE; Domesle, Alexander - ARS; James Callan; Provost, Megan (J)

Subject: RESCHEDULED: ED: Grower Technology Network meeting with USDA OPMP and ORACBA

When: Wednesday, March 22, 2017 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).

Where: 3912 South Building

Details below:

Hello Sheryl,

I am contacting you on behalf of The Grower Technology Network (GTN), a small group of forward thinking and respected U.S. farmers from various states engaged by Dow AgroSciences (DAS) in 2010 to learn about new technology and provide perspective on grower needs and responsible technology management. With first-hand experience and knowledge about farming, the GTN also helps educate key non-agricultural audiences about the need for modern agricultural tools and stewardship. The growers are not compensated for their time or involvement in the GTN.

Would you and any of your team members be available to meet with us next Wednesday afternoon, March 15, ideally at 12:30 p.m.? I apologize for suggesting one time slot – we may be able to be flexible based on your response, but that is the available time for us right now. FYI, we have informed Russell Laird of our outreach to you and to see if an appointed official wants to join the meeting. He said he would check and appreciated our being in contact with you. We want to discuss two issues: 1) Endangered Species Act and 2) Enlist China.

Attending from GTN: John Davis – Delaware, OH, Zach Hunnicutt – Giltner, NE, Doug Morrow – Marion, IN, Brian Scott – Monticello, IN, Rusty Smith – Des Arc, AR, Jeff VanderWerff – Casnovia, MI, Mike Ver Steeg – Inwood, IA, Ryan Weeks – Juniata, NE and Tommy Young – Tuckerman, AR.

Attending from DAS: Megan Provost, U.S. Government Affairs (copied on this email), Christy Wright, Public Policy Manager, and me - Jim Callan, DAS consultant.

Thank you for your consideration, and I look forward to hearing from you.

- Jim

James Callan Associates LLC – Founder/CEO

(b) (6) @msn.com (b) (6) @msn.com>

(b) (6) – mobile

jamescallanassociates.com<<http://www.jamescallanassociates.com/>>

Hi Sheryl,

That's a good plan, and we truly appreciate your staff accommodating us. I know the growers really want to meet with you all, so very nice to know. We will plan to arrive before 12:30 p.m. on Wednesday, March 15, if that works. May we please get from your staff any other logistics (wing, room etc.)?

Also, could you please provide us with a list of your staff participants to share with our growers?

Thank you very much,

- Jim

From: [Erica Rogers](#)
To: [Vaden, Stephen - OGC](#); [Kunickis, Sheryl - OSEC](#); [Abbott, Linda - OCE](#)
Subject: Thank you!
Date: Thursday, June 15, 2017 3:12:17 PM

Sheryl, Linda and Stephen,

Hope you are all doing well. I just wanted to quickly say thank you for being willing to connect with an intern in a room full of experienced professionals at CLA this week. It is a unique opportunity to have engagement with such an accomplished group, and I appreciate each of you taking valuable time out of your schedules to make the visit.

I would love to know more about your work at USDA and spend some time around the offices to get a more holistic view of our industry. If this is something that would be possible in the coming weeks, please let me know and we can make arrangements accordingly. I am here this summer to learn as much as possible, and I believe that the department is a vital source of that knowledge.

Of course, if there is anything I can do for you, feel free to give me a call as well. I look forward to seeing you all again soon.

Best,

Erica Rogers | CropLife America

Government Relations Intern

(b) (6) (b) (6) @croplifeamerica.org

From: (b) (6)@croplifeamerica.org
To: Clovis, Sam - OSEC, Washington, DC
Subject: Thanks!
Date: Tuesday, August 01, 2017 6:33:27 PM

Sam,

Thanks for chatting with the CropLife team yesterday – good to work with you!
Jay

Jay Vroom

President & CEO

CropLife America

1156 15th Street, NW

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Washington, DC 20005

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Email (b) (6)@croplifeamerica.org

Executive Assistant Mary Jo Tomalewski (b) (6) i@croplifeamerica.org, (b) (6) o,
(b) (6) m)

Web www.croplifeamerica.org